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April 8, 2021

BY ECF

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Resentencing is adjourned to July 23, 2021 at 3:00 p.m.
The application to remove the property at 51 Nugent St.
as security to Mr. Fazio's bond is GRANTED.

SO ORDERED.


Edgardo Ramos, U.S.D.J.
Dated: 4/15/2021
New York, New York

Re: *United States v. John Fazio, Jr., 11 CR 873*

Dear Judge Ramos:

I am new counsel to the defendant John Fazio, Jr., in connection with the resentencing proceeding that is to take place. I respectfully write with the consent of government counsel to request that the April 23, 2021, sentencing date be adjourned. The parties jointly propose that the Court schedule a control date approximately 90 days from the current sentencing date in order that counsel may endeavor to reach a resolution regarding the appropriate financial consequences to be imposed at sentencing. Prior to that date, the parties will inform the Court whether (1) we have reached an agreement and are prepared to proceed with resentencing, (2) additional time is necessary to complete our discussions, or (3) we anticipate the need to litigate outstanding issues.

Additionally, Mr. Fazio is currently released on a \$500,000 personal recognizance bond secured by the signature of two financially responsible persons and the home of his parents at 8851 16th Avenue in Brooklyn, New York. I respectfully ask, with the government's consent, that his parents' home be released and that the remaining conditions of the bond remain in effect. The parties agree that a secured bond is unnecessary here as we anticipate a sentence of time served in light of the government's 2019 *Brady* disclosure and the resulting reduction in the sentencing guidelines. If the Court grants this application, the parties will prepare the appropriate paperwork to release the home.

Respectfully yours,
/s/
Sarita Kedia

cc: Micah Ferguson, Esq.
 Assistant United States Attorney